

**California Apprenticeship Council
Rules and Regulations Subcommittee Meeting
L.A County Office of Education
Downey, Ca**

April 27, 2006

The meeting was called to order at 1:30 PM by Chairman Aram Hodess.

Roll call was held. Commissioners Hodess, Callahan, Quick and Turchen were in attendance. Commissioners Zampa and Kropke were absent. A quorum was present.

The corrected meeting minutes of February 2, 2006 Burlingame, and the meeting minutes of March 13, 2006 Oakland were distributed.

**ITEM 1. CONTINUE DISCUSSION ON SUBMISSION OF STANDARDIZED
EVIDENCE BY PROGRAM SPONSORS**

1. California Community College Chancellor's Office (CCCCO)
Representative Barry Noonan provided a handout and gave an overview of his agency's process and responsibilities when reviewing a proposal for a new or expanded apprenticeship program to be administered by a community college. He explained that CCCCCO's primary involvement in the 212.2 eligibility review was confined to working with DAS and the program sponsor per its responsibilities under Labor Code Section 3074 (see CCR 212.2 (a) 3). He further explained that CCCCCO did not investigate a proposed program's compliance with items 1,2,4 or 5 of CCR 212.2 (a).
2. California Department of Education representative Al Tweltridge gave an overview of his agency's process and responsibilities when reviewing a proposal for a new or expanded apprenticeship program to be administered by a CDE. He also explained that the Dept. of Education's involvement in the 212.2 eligibility review was similarly limited to working with DAS and the program sponsor per its responsibilities under Labor Code Section 3074 and they did not investigate a proposed program's compliance with items 1,2,4 or 5 of CCR 212.2 (a).
3. Oscar Meier (LAUSD) explained the evidence that he believes a program sponsor should provide as evidence under 212.2 (a) 1-5. Alice Johnson (Hacienda-La Puente ROP), described some of the oversight her LEA exercises over programs.
4. Art Webster, (WBFAA) suggested that there be an open discussion to consider what would be sufficient evidence to meet the standard described in 212.2 (a)1-5

DISCUSSION

212.2 (a) 1- Evidence of a commitment to provide safe work site facilities and safe equipment sufficient to train the apprentices:

There were questions as to whether this applied to RSI training or also at the work site. The consensus was that this was primarily the responsibility of DAS.

212.2 (a) 2- Evidence of a commitment to provide skilled workers as trainers at the work site who meet the criteria for journeyman or instructor as defined in Section 205(a) or (b)

It was noted that Labor Code Section 205 (a) and (b) defined a “journeyman”. It was suggested that program sponsors could provide evidence of qualified journeymen by submitting certificates of completion of a state-approved apprenticeship, Electrician Certification or a form for an employee showing equivalent experience as described in 205 (b). It was suggested that DAS must conduct audits and program coordinators should confirm the experience level of all journeymen training apprentices on the job. Speakers gave various examples. Proposed program sponsors should submit the method they used to determine the journeyman skill level of their workers.

212.2 (a) 3- Evidence of adequate arrangements for related and supplemental instruction pursuant to Labor Code section 3074:

It was agreed that this is a shared responsibility between DAS the LEA’s and the program sponsors..

212.2 (a) 4- Evidence of ability to offer training and supervision in all work processes of the apprenticeable occupation:

It was noted that Industry Minimum Training Criteria have been adopted for most crafts and that evidence should be provided by a program sponsor ensuring that their program can and will train for all work processes of the industry. It was suggested that sponsors provide a plan that describes tracking the training of these work processes. There was discussion on what constitutes an adequate facility for training as well as whether a program sponsor should have a facility when submitting an application.

~~Commissioner Callahan expressed his opinion that prior contract agreements for leased training space need not be in place for approval of a new proposed program, provided the sponsor includes letters of commitment from a large enough employer base to support the program.~~

212.2 (a) 5- Evidence of the program sponsor’s ability, including financial ability, and commitment to meet and carry out its responsibility under the federal and state law and regulations applicable to the apprenticeable occupation and for the welfare of the apprentice

There was consensus that program sponsors should submit a business plan to prove their financial ability to provide the proposed training. It would include a budget showing projected income and expenses. It was suggested that “subscription agreements” from participating employers be required as proof of the sponsor’s financial ability to support an apprenticeship program.

Examples of financial plans and the need for prior contractual agreements were discussed. Questions were asked if this process would be used for not only new programs but for existing program expansion into new geographical areas. More discussion was held.

Commissioner Callahan expressed his opinion that program applicants should provide proof that if approved, they would, at a minimum have contingent agreements that would assure sufficient revenue streams to fund training, facilities, etc.

In summary, there was consensus that items CCR 212.2 (a) 1, 2, 4, and 5 are not the responsibility the CCCCCO, the Calif. Dept. of Education or the Local Education Agencies. Additionally, there was consensus that CCR 212.2 (a) 3 is a shared responsibility between the LEA’s, DAS and the program sponsor.

The Chair requests interested parties to provide suggestions of standardized ways in which 212.2 evidence should be submitted to DAS. R&R will schedule a meeting in Northern California prior to the regular July meeting to conduct further discussions.

ITEM #2: Commissioner Callahan distributed 2 samples of proposed language changes for Labor Code Section 212.01 that were prepared by DAS legal counsel. The CAC has asked the Rules and Regs Sub-Committee to recommend changes to 212.01 for submission to the rulemaking process.

Commissioner Callahan also distributed copies of letters sent to the Los Angeles Unified School District from DLSE regarding appropriate prevailing wage rates for apprentices and enforcement of apprenticeship ratios. Copies are available from DAS upon request.

Fred Lonsdale mentioned that DAS legal staff had provided draft language for program sponsor notification.

Being no further business the meeting adjourned at 4PM.

Respectfully submitted,

Bryan Goyette
Staff Aide

